

Original

Approved: Mitzi Steiner
Mitzi S. Steiner
Assistant United States Attorney

Before: THE HONORABLE KATHARINE H. PARKER
United States Magistrate Judge
Southern District of New York

- - - - -	X	20 MAG 9915
	:	
	:	<u>SEALED COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violations of 18
- v. -	:	U.S.C. §§ 844(f) and
	:	2.
SHAWN JENKINS,	:	
	:	COUNTY OF OFFENSE:
Defendant.	:	BRONX
	:	
- - - - -	X	

SOUTHERN DISTRICT OF NEW YORK, ss.:

ERIC B. DORNBUSCH, being duly sworn, deposes and says that he is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), and charges as follows:

COUNT ONE
(Arson)

1. On or about June 1, 2020, in the Southern District of New York and elsewhere, SHAWN JENKINS, the defendant, maliciously damaged and destroyed, and attempted to damage and destroy, by means of fire and an explosive, a vehicle, in whole and in part owned and possessed by an institution and organization receiving Federal financial assistance, to wit, JENKINS threw a glass bottle containing a wick that was lit with a gas accelerant at New York City Police Department vehicles in the Bronx, New York.

(Title 18, United States Code, Sections 844(f) and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Special Agent with ATF. I have been personally involved in the investigation of this matter, and I

base this affidavit on that experience, on my conversations with other law enforcement officials, and on my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. On or about June 1, 2020, the movements and actions of an individual later identified as SHAWN JENKINS, the defendant, were captured by video cameras in the vicinity of the New York City Police Department ("NYPD") 42nd Precinct (the "Precinct"). Based upon my review of these video recordings (the "Video Recordings"), I have learned, in substance and in part, the following:

a. At approximately 11:30 p.m., JENKINS was seen on 161st Street and Melrose Avenue in the Bronx, New York. JENKINS was holding a glass bottle (the "Bottle") with a wick in his hand. JENKINS wore a black sweatshirt with the words "Straight Outta Bermuda" written in white lettering on the front (the "Sweatshirt"). JENKINS walked eastbound on 161st Street towards the Precinct.

b. JENKINS stopped briefly in front of the Pyramid Residential Center (the "Shelter") located at 470 East 161st Street to speak to an individual ("Individual-1"). JENKINS was still holding the Bottle.

c. At approximately 11:35 p.m., JENKINS approached a row of vehicles parked immediately north of the Precinct. JENKINS threw the Bottle in the direction of two parked police vehicles ("Vehicle-1" and "Vehicle-2," collectively the "Vehicles"). The Bottle missed the Vehicles and hit an adjoining vehicle ("Vehicle-3"), which is privately owned by an Officer of the Precinct. JENKINS immediately ran back in the direction of the Shelter and returned to 161st Street.

4. Based on subsequent law enforcement conversations with Individual-1, I know that Individual-1 was returning to the Shelter when a man fitting the description of SHAWN JENKIN, the defendant, told Individual-1, in sum and substance, "Ya might wanna get out of here, I'm gonna throw this at the police."

5. Based on my discussions with other law enforcement officers, I have learned that on or about June 12, 2020, the NYPD

received an anonymous tip from an individual ("Individual-2") in response to an NYPD "Wanted" flier with an image of the individual who threw the incendiary device described in paragraph 3, *supra*, that was taken on the night of the incident. Individual-2 indicated that the man depicted on the flier was an individual by the name of "Shawn Jenkins".

6. Based on my discussions with other law enforcement officers, I have learned that Individual-2 further provided a particular apartment building as the location where "Shawn Jenkins" resides ("Building-1"). Building-1 is within the immediate vicinity of the Precinct. Based on my review of law enforcement databases, I have learned that SHAWN JENKINS, the defendant, in fact resides in Building-1.

7. Based on my review of law enforcement records, I have learned that on or about November 7, 2019, SHAWN JENKINS was arrested by the NYPD for an incident unrelated to the events described in this Complaint (the "November 2019 Arrest").

8. Based on my review of photos taken from the November 2019 Arrest, I have determined that the individual pictured is the same individual depicted in the Video Recordings, namely, SHAWN JENKINS, the defendant. JENKINS was wearing the Sweatshirt at the time of the November 2019 Arrest.

9. Based on my review of NYPD lab reports, I have learned that the wick of the Bottle was tested for the presence of an ignitable liquid and that a gasoline accelerant was identified.

10. Based on my experience as an ATF Special Agent, I have learned that the NYPD is an organization that receives financial assistance from the federal government.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of SHAWN JENKINS, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Eric Dornbusch

Eric B. Dornbusch
Special Agent
Bureau of Alcohol, Tobacco, Firearms
and Explosives

Sworn to me through the transmission of
this Complaint by reliable electronic
means, pursuant to Federal
Rules of Criminal Procedure 41(d)(3)
and 4.1, this 16 day of September, 2020

Katharine H Parker

THE HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK